

METRO: GUNFIRE SPRAY AT CENTRAL VILLAGE INJURES TWO MEN B-1

THE POST-STANDARD

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SYRACUSE, N.Y.Look inside for today's
clue to this week's "Key
Word"

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CONV



HARLEM MODEL LIKES SPOTLIGHT

DeShawn Wadley, a self-proclaimed high school "nerd," now enjoys being in front of the camera.

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SPORTS



LEMIEUX SKATES INTO SPOTLIGHT

The NHL superstar returns to action in Philadelphia after completing treatment for Hodgkin's disease.

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DOLPHINS CRUISE INTO SEMIFINALS

Le Moyné wins its eighth consecutive game, ousting Sacred Heart from the NECC tournament.

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SCIENCE

INSECTS' ANTENNAE LINKED TO UNIVERSE

Researchers say the tiny antennae could help unlock the mysteries of the universe.

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MONEY

POST OFFICE ADDS DIGITS TO ZIP CODE

Business mailers are ordered to print out 11 digit codes or lose discounts on pre-sorted postage.

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ALSO

Serbs take over enclave that received U.S. air drop

Serb forces overran the embattled Muslim enclave of Cerinja in eastern Bosnia-Herzegovina Tuesday in a brutal, defiant act that embarrassed U.N. peace negotiations and the Clinton administration's emergency aid air drop in the region. American officials ended the air drop — for a while — after Tuesday's flights [A-7].

(See SHERIFF, Page A-6)

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164th YEAR, NO. 155



Cult Leader's Promise Fades into Night

■ After a vow to surrender, David Koresh keeps federal forces waiting.

■ Double trouble: The FBI and lesser-known ATF are working around the clock/A-3.

WACO, Texas — Despite a pledge to emerge peacefully and immediately after a Dallas radio station broadcast his rambling theology lesson, cult leader David Koresh and his 70-person religious group remained barricaded within its farming compound Tuesday night.

Heavily armed federal, state and local law enforcement officials continued to surround the group's 77-acre complex known as Mount Carmel, about 10 miles east of Waco. It was not known why the

group was apparently not keeping its end of a carefully honed bargain with FBI negotiators.

The three-day siege, which officials had hoped to end peacefully Tuesday, has involved in at least three gunfights. Four federal agents were killed Sunday and a local newspaper reported Tuesday that as many as 17 people may have been killed inside the complex.

The end of the tense confrontation was supposed to have come shortly after 3:30 p.m. EST, just

after a Dallas radio station, responding to an FBI request, ended a broadcast of an hourlong tape Koresh had recorded earlier in the day.

On the tape, Koresh, 33, leader of an obscure religious cult calling itself the Branch Davidians, promised to bring the group out of its fortress-like compound after his message was aired.

But four hours after the broadcast began, there was still no movement on the compound, which could be seen by reporters from a gathering point about two miles away. Federal agents postponed a news conference that was scheduled for late afternoon.

Four ambulances and two fire trucks that had earlier rushed to

the site remained idle outside the compound Tuesday evening. Scores of police and sheriff's cars from tiny towns throughout the region remained at a staging area near the compound, alongside several Bradley fighting vehicles and armored personnel carriers belonging to the Army.

The incident began Sunday morning when agents of the Bureau of Alcohol, Tobacco and Firearms stormed the compound, seeking to serve firearms violations warrants on Koresh, who was formerly known as Vernon Howell.

The group was apparently aware of the raid, however, and ambushed the officers, killing four and wounding 15. The afternoon edition of the Houston Chronicle

newspaper reported Tuesday that seven to 17 members of the sect were also killed in the shootouts, based on anonymous sources who had interviewed the children who had left the compound.

Since Sunday's shootouts, hundreds of law enforcement officials have descended on the area. While the FBI hostage rescue team negotiated with Koresh throughout Monday and most of Tuesday, federal agencies deployed tanks, armored personnel carriers, helicopters and surveillance planes around the compound in a deliberate show of force.

Koresh agreed Monday to release 10 children living in the compound. (See LEADER, Page A-3)

State Says Shackling Harmed Inmates

■ County officials defend restraint practices at the jail and call the Commission of Correction report misleading.

By TOM FOSTER
And FRED PIERCE
The Post-Standard

A state investigation has concluded that Onondaga County sheriff's deputies have inflicted excessive and unnecessary pain on inmates by restraining them in handcuffs and leg irons.

A report of the state Commission of Correction also found that inmates at the Public Safety Building jail sometimes were shackled for punishment. That conflicted with a jail policy that calls for restraints only when inmates posed a threat to guards or themselves.

Sheriff John C. Dillon responded to the criticism by leading out at the commission, a watchdog of jails and prisons in New York.

Dillon called it "a bureaucratic nuisance and a terrible waste of the taxpayers' money." In a letter to the commission, Dillon and County Executive Nicholas J. Pirro characterized the report as "misleading and inaccurate."

But jail officials have made some changes in their restraint policies. New procedures call for restraining an inmate in a special chair that has been ordered and videotaping instances of restraint. Chief Jail Deputy Charles N. Pirro said changes already were being considered and were not a reaction to the report.

The commission commended the county for taking those steps, but said officials needed to do more to address the state's concerns. William G. McMahon, the commission's chairman, said members of his staff would meet with county officials to discuss unresolved issues.

One of the biggest areas of disagreement involves the role of medical and mental-health workers in the jail.

The commission found that jailers made the decision to restrain inmates without consulting with medical or mental-health staff. There was inadequate

AFTER THE BOMB



The fiance of bombing victim John DiGiovanni is comforted by family and friends after a funeral Mass in Valley Stream, New York, Tuesday.

At Least Two Vehicles Carried Explosives, Investigators Suspect

■ A van was the bomb; a car was the fuse, investigators say.

■ Anxious times: The wife of a missing worker worries about her husband/A-3.

NEW YORK — A \$200,000 bounty was placed on the World Trade Center bombers Tuesday as sources confirmed that at least two vehicles were packed with explosives inside the parking garage.

A large van or truck carried the explosives that caused the major explosion, and a second smaller car was used to detonate it, sources said. Investigators believe there were as many as three explosions and are trying to determine if there were three bombs, echo explosions from

the major bomb or from fuel tanks of parked cars that were set off by the blast, sources said.

Investigators said they were focusing on terrorist groups, including a Palestinian organization that allegedly threatened to set off a bomb here a month ago.

CNN later reported that investigators suspect the bomber was from one of the former Yugoslav republics.

(See TERRORIST, Page A-3)

Limit Teen Driving, Safety Board Urges

■ Many teens are drinking, driving and dying: "These aren't accidents. These are predictable crashes," officials say.

WASHINGTON — The National Transportation Safety Board Tuesday recommended a nationwide crackdown on teenage driving, including a nighttime curfew on driving by younger, teen-agers and license suspension on the spot for adolescents caught driving with any amount of alcohol in their blood.

The board painted a picture of young teenagers who may only want to drink and often drink and drive, especially on Fri-

day and Saturday nights, and who die at a higher rate that adults because they are inexperienced, prone to take risks and can't hold their liquor as well.

"Younger drivers are overrepresented in traffic crashes and deaths," the board said, citing federal statistics that show that 15- to 20-year-olds account for 14.5 percent of all driver fatalities, even though they only comprise 7.1 percent of all licensed drivers.

Teen-agers do only 20 percent of their driving at night, but half their fatalities are at night. About 30 percent of teen-age drivers killed in 1991 tested positive for alcohol.

"These are predictable crashes," said Charles Hurley, sen-

ior vice president for communications of the Insurance Institute for Highway Safety.

Eight states have adopted curfews to limit nighttime driving by teen-agers. New York bars teens from getting behind the wheel between 9 p.m. and 5 a.m.

The board recommended that all states: ■ Enact curfews on night driving — especially from midnight to 5 a.m. — by 16- and 17-year-old "young novice drivers."

■ Establish a minimum blood-alcohol content of 0.0 for teen-agers, and immediately suspend or revoke the license of any teen who shows even a trace of alcohol.

■ Take further action against anyone who sells alcohol to a teen-ager.

Doctors Rebuke Medical Examiner

■ Three of Dr. Erik Mitchell's top aides say he has endangered their lives and others.

By JOHN O'BRIEN
The Post-Standard

Three doctors in the Onondaga County medical examiner's office have taken the extraordinary step of publicly accusing their boss, Dr. Erik Mitchell, of unethical and possibly illegal practices over the past five years.

They claim some of Mitchell's policies have put lives at risk.

"The two physicians who perform autopsies with Mitchell, Dr. David Ragle and Dr. Humphrey Germaniuk, and toxicologist William Sawyer have taken their complaints to state regulatory agencies and local politicians. One county legislator has called for a special investigation."

"I feel like I'm a character in a nightmare called 'Erik Scissorshands on Elm Street,' and someone deranged is writing the script," Ragle said. "Unfortunately, it's real and it's happening at 330 W. Onondaga St., the morgue location."

Among the most serious accusations the doctors made are:

■ Mitchell may not have the mental stability to run the office. They cite bizarre behavior dating back to 1987.

■ Mitchell used to have his workers dice up brains and other organs and flush them down the toilet or a flush sink, rather than following a more environmentally and ethically sound practice of having them incinerated.

■ Mitchell allegedly allowed up to 100 pounds of highly volatile mercury to be stored in improper containers in the county lab for the past year, endangering thousands of workers in the County Office Building and Civic Center.

■ He ordered Sawyer to illegally dispose of other toxic chemicals at the lab by mixing them with medical waste. Sawyer didn't follow the order.

■ Sawyer also didn't obey Mitchell's order to trade 25 gallons of alcohol at the lab to a private lab for a fax machine.

■ Mitchell threw a scalpel at an employee, Dennis Dewitt, during an autopsy and threw a pitcher of water at him another time. Mitchell once struck Dewitt in the hand or arm, causing a viral blood to splash across the room.

■ Mitchell retaliated repeatedly against Ragle and Germaniuk for complaining to the medical examiner's advisory board about a contract that requires them to handle AIDS cases from Onondaga County.

Although problems with Mitchell's office have been simmering for years, the three doctors decided to go public because of the AIDS cases and the toxic waste concerns that they said were endangering people's lives.

Mitchell has denied some of the allegations, but admitted others, some only partially, said his boss, Health Commissioner Dr. James Miller.

Miller said he has met with County Executive Nicholas Pirro about the allegations. Mitchell was appointed by Pirro's predecessor in 1983 and serves at the will of the county executive.

"It's not going to let a dedicated county employee be convicted on innuendo," Miller said of Pirro.

Pirro declined comment. Mitchell did not return a phone message left at his office, but his lawyer, Sid-

(See AIDS, back page)

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Aides Accuse Mitchell of Retaliation

(AIDES, from Page A-1)
ney Cominsky, said the complaints amounted to nothing more than grumblings from disgruntled employees.

"A good deal of it doesn't even begin to tickle anybody," he said, citing the fact that some of the accusations are years old. "They have nothing to do with the level of professionalism in the office."

Calls for investigations

Sawyer brought his concerns to the state Health Department's Office of Professional Medical Conduct, which disciplines physicians. Ragle and Germaniuk complained to the medical examiner's advisory board.

In his complaint, Sawyer wrote, "I am concerned with the lack of concern displayed by Dr. Mitchell for the law, and the health and well-being of others."

That office turned over Sawyer's complaints about the toxic wastes to the state Department of Environmental Conservation, which began its investigation Monday.

In January, Ragle and Germaniuk told the advisory board they had grave concerns about Mitchell's behavior.

Since then, the pathologists contend Mitchell has retaliated against them. They must now use only scissors instead of scalpels to perform autopsies, and are required to do manual labor, such as mopping up the autopsy floor, that used to be done by morgue attendants.

County Legislator Vicki Baker said she made a written request Monday to Legislature Chairman William Sanford for an investigation by the health committee into the doctors' allegations.

'A tremendous risk'

Sawyer, who's worked for Mitchell for five years, said he was most concerned about the liquid mercury that he learned recently was being stored in 13 containers, including a 2-liter A&W Root Beer bottle, on the floor and a shelf in the county lab.

Although mercury doesn't present much of a danger in its liquid form, it would endanger everyone in the county buildings if it ever caught fire, Sawyer said.

Sawyer told the professional conduct office that he was concerned because a fire was deliberately set

two floors below the lab within the past two years. He said he was also concerned because the mercury was just one floor above lab equipment that works at 4,000 degrees.

The city fire department's hazardous materials unit was unaware that the mercury was being stored at the lab, said Louis Mevee, a firefighter in the unit.

"It's just total irresponsible concern for the health and well-being of the people in that building, in terms of holding a tremendous risk without them even knowing about it," Sawyer said.

Cominsky said Mitchell had nothing to do with the mercury being placed at the lab. He didn't know whether Mitchell was aware of its presence over the past year.

James Masuica, a DEC investigator, said Sawyer had valid concerns about the mercury, although the agency didn't believe there was any direct threat to the environment or people in the building. Last week, the county hired a contractor that started packing the chemicals properly, Miller said.

Sawyer claimed that on Jan. 15, Mitchell ordered him to illegally dispose of hundreds of dangerous chemicals from the lab by mixing it with medical waste.

"I was rather shocked at his orders as I had just read to him a partial inventory listing chemicals that would require disposal," Sawyer wrote to the professional conduct office. Mixing the chemicals would likely have resulted in a fire or explosion, he said.

Mitchell contends he never ordered Sawyer to mix the chemicals with the medical waste, or "red bag waste," but only suggested it, Miller said.

"I believe he told Dr. Sawyer that anything in the lab which could be included in the red bag waste ought to be, if it was waste and it was appropriate for inclusion in red bags," Miller said.

DEC Investigator Masuica said Sawyer's complaint about Mitchell's order to mix the chemicals with medical waste is still being investigated.

'Novel technique'

In 1989 and 1990, Mitchell boasted to Sawyer about his "novel technique" of disposing of organs, Sawyer said. Mitchell had his technicians dice the organs, including

brains, and flush them down the toilet, Sawyer said.

"Dr. Mitchell joked about the problem he was having with the toilet, as it was plugged with brains," Sawyer told the professional conduct office. "Dr. Mitchell thought this was rather humorous and expressed a concern with what the county plumber might think."

Other employees of the office confirmed last week that Mitchell had then cut up brains or other organs and flush them down either the toilet or a flushing sink next to the autopsy table.

William Sullivan, Mitchell's chief of operations until 1987; Thomas Jensen, a morgue superintendent until 1991; and Ed Witman, a forensic investigator until 1990, all said Mitchell had then dispose of organs in that manner.

Other pathologists say such a procedure is unacceptable, partly because medical examiners are supposed to treat bodies with respect, and partly to avoid any possibility of exposing the environment to body tissues.

"Unbelievable," said Dr. William Eckert, director of an international forensic sciences in Wichita, Kan.

Dr. Justin Uko, Erie County's medical examiner, said, "Maybe that's a new technique, I don't know. All I can say is we don't do it that way in this office."

Mitchell denies ever dumping or gans down the drain, Cominsky said.

"To his knowledge, he's never done it, and none of his employees have done it, to his knowledge," Cominsky said.

Assault accusations

Sawyer complained that Mitchell's order Jan. 15 to trade 25 gallons of ethanol used at the lab for a fax machine might constitute an illegal sale of alcohol.

Mitchell admitted he'd given that order, Miller said.

"Dr. Mitchell's statement was inconsistent with county policy," Miller said. "We don't exchange county property for other property."

Ragle and Germaniuk, in the statement they read to the advisory board, claimed Mitchell threw a scalpel at an employee and also struck him.

Mitchell contends he didn't throw the scalpel, but slammed it

down on the autopsy table in frustration, Miller said. There was no blade in the scalpel, just a handle, Miller said.

Mitchell did strike the employee, Dennis Dewitt, but only to block him from contaminating an area of the morgue with a tube of blood he was carrying, Miller said.

Ragle said he witnessed that incident, and disputes Mitchell's account. Dewitt, who could not be reached for comment, had already contaminated the area of the morgue, and Mitchell struck him out of anger, Ragle said.

Claims of retaliation

Ragle contends Mitchell has retaliated repeatedly against him and Germaniuk for complaining.

"The pathologists are misused to the extent of abuse," Ragle said.

Ragle has been out of work for medical reasons since last week, when he injured his back lifting a body — a task he says should be performed by morgue workers. Ragle contends Germaniuk also was the victim of retaliation.

Ragle also said the scissors-only autopsy policy was Mitchell's way of retaliating. Autopsies performed with scissors are slower, messier and more difficult, Ragle said.

Eckert of Kansas said he'd never heard of a medical examiner's office restricting its pathologists to scissors in autopsies.

Miller said scissors reduce the risk of being cut and being infected with the AIDS virus.

The pathologists told the advisory board they're concerned that Mitchell might not be mentally stable to run the office.

They cited a sheriff's department report of Mitchell leaving his home in 1987 with a gun, after writing a 26-page letter that raised a concern he might kill himself.

Germaniuk also wrote that, when he started at the office in 1989, workers told him they had to hide a rifle that was being kept for evidence because they were afraid of what Mitchell might do with it.

In January 1992, Mitchell told others in the office that he was a manic-depressive, according to Ragle's and Germaniuk's statement. Miller said he's been working closely with Mitchell over the past five years, and sees nothing wrong with his mental stability.

"I believe Dr. Mitchell's mental status is sound," Miller said.

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